

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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YESSUH SUHYES HUSSEY,

Plaintiff,

ORDER
23-CV-2153 (PKC) (LB)

-against-

1011 BRIGNOL, Emergency Search Unit
Member; and 11562 MITCHELL, Emergency Search
Unit Member,

Defendants.

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YESSUH SUHYES HUSSEY,

23-CV-2166 (PKC) (LB)

Plaintiff,

-against-

JOHN DOE¹, D.O.C. Emergency Search Unit;
BRIGNOL 1101, D.O.C. Emergency Search
Unit; and MITCHELL 11362, D.O.C. Emergency
Search Unit,

Defendants.

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PAMELA K. CHEN, United States District Judge:

Plaintiff Yessuh Suhyes Hussey, a serial filer, brings these two actions pursuant to 42 U.S.C. § 1983.² A court may consolidate cases that involve a "common question of law or fact." See Fed. R.

¹ Although Plaintiff names a John Doe defendant in the caption, he does not allege facts against this defendant in the body of the Complaint. Therefore, the case shall proceed against the named Defendants only.

² At the time of filing, Plaintiff was being held at the Anna M. Kross Center on Rikers Island but was released from custody on March 2, 2023. See <https://a073-ils-web.nyc.gov/inmatelookup/pages/home/home.jsf> (last visited April 11, 2023). The Court notes that Plaintiff has filed at least 60 cases in recent months, including 43 cases on the same day. Although the cases referenced in this Order will proceed for now, Plaintiff is again warned that the future filing of vexatious and frivolous litigation may result in sanctions, including the imposition of an injunction prohibiting him from making future filings seeking *in forma pauperis* status without leave of the Court.

Civ. P. 42(a). The Court finds that both 23-CV-2153 and 23-CV-2166 appear to allege that excessive force was used against Plaintiff by the same two corrections officers, on two separate occasions, while Plaintiff was previously being held at the Otis Bantum Correctional Center on Rikers Island (“OTBC”). Therefore, the Clerk of Court is respectfully directed to: (1) consolidate 23-CV-2153 and 23-CV-2166, (2) close 23-CV-2166, and (3) **enter all future docket entries under 23-CV-2153.**

Plaintiff’s request to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 is granted. The Clerk of Court shall issue a summons and the United States Marshals Service is directed to serve the summons, both Complaints, and this Order upon the named defendants without prepayment of fees. The case is respectfully referred to Magistrate Judge Lois Bloom for pretrial supervision.

The Clerk of Court shall send a copy of this Order to Plaintiff and to the Corporation Counsel of the City of New York, Special Federal Litigation Division.

SO ORDERED.

/s/Pamela K. Chen
PAMELA K. CHEN
United States District Judge

Dated: April 27, 2023
Brooklyn, New York